

FREDERICK COUNTY PLANNING COMMISSION  
Minutes of Meeting for  
Wednesday, August 11, 2021

*Virtual and In-Person Meeting*

See video for further meeting details: <http://frederickcountymd.gov/5956/Video-Archives>

Members Present: Sam Tressler, Vice-Chair; Craig Hicks, Secretary; Joel Rensberger, Michael Sowell, Carole Sepe, and Terry Bowie.

Members Absent: None.

Staff Present: Mike Wilkins, Development Review Director; Kimberly Golden Brandt, Livable Frederick Director; Mark Mishler, Traffic Engineer; Kathy Mitchell, Senior Assistant County Attorney; Jerry Muir, Principal Planner; Ashley Moore, Principal Planner; Cody Shaw, Principal Planner; and Karen James, Administrative Specialist.

The meeting was called to order at 9:31 a.m.

1. **PLEDGE OF ALLEGIANCE** Mr. Tressler

2. **ROLL CALL** Mr. Tressler

3. **MINUTES TO APPROVE**

July 14, 2021 – Mr. Tressler asked if there were any changes or additions. Hearing none, Mr. Rensberger made a motion that the minutes be approved as read; Mr. Sowell, second.

VOTE	6-0-0-0
FOR:	6 - Tressler, Rensberger, Sepe, Sowell, Bowie, Hicks
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

4. **PLANNING COMMISSION COMMENTS**

Ms. Sepe said she is looking forward to starting the review of the Sugarloaf Plan. Ms. Brandt gave the dates and times for the upcoming virtual open houses. Mr. Hicks asked to be assured his yes vote had been counted regarding approval of minutes. Mr. Hicks participated via WebEx.

5. **AGENCY COMMENTS / AGENDA BRIEFING**

Mr. Wilkins welcomed the Planning Commission members and Frederick County staff back to Winchester Hall. An August 18 meeting was announced, but will not take place if unable to have assemble a quorum. Election of officers will be held at the September 8th meeting. There are four development review items on the September agenda.

There will be an introduction to the Sugarloaf Plan with workshops scheduled in September and October.

**6. PRELIMINARY PLAN**

*Linganore Town Center South - Commercial Retail Center* - The Applicant is requesting preliminary plan approval for a revision of an existing preliminary plan within an existing PUD district on a 17.8-acre site, located on the south side of Old National Pike. Tax Map 79 Parcel 34; Zoned: Planned Unit Development (PUD); Planning Region: New Market  
S-829T (A/P#PP263961, APFO#A263969, FRO#F263971)  
Cody Shaw, Principal Planner

**Staff Presentation:**

Cody Shaw

**Applicant Presentation:**

Eric Soter, Rodgers Consulting

Ms. Sepe asked if prior conditions set had been met. Mr. Hicks suggested altering the conditions of approval to reflect/include conditions listed in the prior application. Ms. Sepe offered the suggestion of adding the letter "s" to staff report to read "staff reports." Mr. Wilkins also offered a suggestion to address the wording.

**Public Comment:** None

**Decision:** Mr. Rensberger made a motion to approve, as per the conditions as listed in both staff reports from 2019 and 2021, reference new condition #3 that this approval carries those prior conditions. Mr. Hicks, second.

VOTE	6-0-0-0
FOR:	6 - Tressler, Hicks, Sepe, Bowie, Rensberger, Sowell
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

**7. SITE PLAN**

a) *IHOP/Dairy Queen* - The Applicant is requesting site plan approval to establish a restaurant within an existing PUD district on a 1.76-acre site, located on the south side of Old National Pike. Tax Map 79 Parcel 34; Zoned: Planned Unit Development (PUD); Planning Region: New Market  
SP01-05 (A/P#SP260627, APFO#A260622, FRO#F260623)  
Cody Shaw, Principal Planner

**Staff Presentation:**

Cody Shaw

**Applicant Presentation:**

Bill Brennan, B & R Design Group  
Ken Sterling

Mr. Hicks had questions about lighting modifications, and how often that is a topic of consideration. Mr. Hicks also asked about traffic queuing, which was addressed by Mr. Mishler. Historic preservation was mentioned by Mr. Hicks and it was explained that the Historic Preservation planner reviewed the application and worked with the developer. Mr. Sowell expressed concerns regarding pedestrian traffic. Mr. Bowie followed up with more traffic questions. Mr. Rensberger complimented the plans for outdoor dining. He then addressed the building's appearance from the Historic National Road. Ms. Sepe continued the traffic discussion regarding trip generation and trip score cards. Mr. Rensberger said he and several other commissioners were "underwhelmed" with the historical inspirations. Ms. Sepe asked if there was an access easement. She also suggested something be done to improve the view of the building from Interstate 70.

**Public Comment:** None

**Decision:** Mr. Rensberger made a motion to approve, and include further collaboration with Amanda Whitmore, Principal Planner II Historic Preservation and incorporate to a greater extent the guidelines for the National Historic Roads. Ms. Sepe, asked if Mr. Rensberger would amend his motion to include item #3 adding the final access easement. Mr. Rensberger amended his motion. Ms. Sepe, second.

<u>VOTE</u>	<u>6-0-0-0</u>
FOR:	6 - Tressler, Hicks, Sepe, Bowie, Rensberger, Sowell
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

Break taken 11:10 a.m.  
Meeting resumed 11:22 a.m.

- \*\* b) Frederick Primary Care - The Applicant is requesting site plan approval to establish a medical office facility within an existing PUD district on a 2.02-acre site, located on the south side of Old National Pike. Tax Map 79 Parcel 34; Zoned: Planned Unit Development (PUD); Planning Region: New Market  
SP01-05 (A/P#SP260604, APFO#A260611, FRO#F260612)  
Cody Shaw, Principal Planner

**Staff Presentation:**  
Cody Shaw

**Applicant Presentation:**  
David Lingg, Lingg Property Consulting  
Marty Bates, architect  
Scott Lilly

Mr. Sowell questioned the use of cable fencing. Mr. Rensberger had questions regarding a retaining wall. Mr. Rensberger also asked about consistency with the Historic National Road. Due to elevations not included in staff reports, it was

determined to table this item until the additional documents became available. Mr. Wilkins indicated the documents would be available following the lunch break.

**8. COMBINED PRELIMINARY/FINAL PLAT**

JTP Lots A-3A & A-3B - The Applicant is requesting Combined Preliminary/Final Plat approval to re-subdivide a 26.28-acre Site into 2 lots. Located approximately 300 ft. northeast of the intersection of Jefferson Station Blvd. and Jefferson Commons Way. Tax Map: 76, Parcel: 109, Zoned: Mixed Use Development (MXD); Planning Region: Frederick  
S-1136 (AP# PL263926 APFO# A263928 FRO# F263929)  
*Ashley Moore, Principal Planner*

**Staff Presentation:**

Ashley Moore

**Applicant Presentation:**

Fran Zeller, Harris, Smariga & Associates

Ms. Sepe had one question, clarification of use for land bay A-2. There were no other questions or discussion.

**Public Comment:** None

**Decision:** Mr. Sowell made a motion to approve based on the findings and conclusions as listed in the staff report. Mr. Hicks, second.

VOTE	6-0-0-0
FOR:	6 - Tressler, Hicks, Sepe, Bowie, Rensberger, Sowell
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

**9. SITE PLAN**

a) Jefferson Tech Park-Lincoln West II - The Applicant is proposing Site Development Plan approval for the construction of three (3) buildings (A-175,420 SF, B-29,432 SF, C-22,826 SF) for office and limited manufacturing and assembly on as 15.37 acre site. Tax Map: 76, Parcel 109, Zoned: Mixed Use Development (MXD); Planning Region: Frederick  
SP06-07 (AP# SP263919, APFO# A260920, FRO# F263921)  
*Ashley Moore, Principal Planner*

**Staff Presentation:**

Ashley Moore

**Applicant Presentation:**

Fran Zeller, Harris, Smariga & Associates

Bruce Dean  
Don Bowers  
Rob Hoffman

Questions were asked about storm water management. Truck traffic concerns were also discussed. Ms. Sepe asked about the orientation of building C and effects on traffic. Mr. Sowell asked about the impact of the increased traffic on the area including nearby residential neighborhoods.

**Public Comment:** None

**Decision:** Mr. Rensberger made a motion to conditionally approve as per the conditions and modifications as listed in the staff report. Mr. Bowie, second.

VOTE	5-0-1-0
FOR:	5 - Tressler, Hicks, Sepe, Bowie, Rensberger,
AGAINST:	0
ABSTAIN:	1 - Sowell
ABSENT:	0

Meeting paused for lunch break at 12:36 p.m.

Meeting resumed at 1:31 p.m.

Mr. Hicks not present at afternoon session

- \*\* 7. b) Frederick Primary Care (continuation from morning session). The additional elevation documents were distributed to Planning Commission members. Fencing and lighting were discussed. Mr. Rensberger asked questions about the design meeting Historic Roads guidelines. Traffic questions were asked of Mr. Mishler.

**Public Comment:** None

**Decision:** Ms. Sepe made a motion to approve. Including Item #3 access easements. Mr. Sowell, second.

VOTE	4-1-0-1
FOR:	4 - Tressler, Sepe, Bowie, Sowell
AGAINST:	1 - Rensberger
ABSTAIN:	0 -
ABSENT:	1 - Hicks

9. b) Lot 11, Stanford Industrial Park Section II – The Applicant is requesting Site Plan approval to construct a 12,900 SF contractors office and limited manufacturing building on a 2.66 acre site. 4880 Winchester Blvd. Tax Map 94 Parcel 97; Zoned: Limited Industrial. Planning Region: Adamstown SP 265139 (A265140, F265141)  
*Jerry Muir, Principal Planner*

**Staff Presentation:**

Jerry Muir

**Applicant Presentation:**

Lee Miller, Terra Solutions Engineering

Bryan Ray

Ms. Sepe asked about truck traffic. Mr. Rensberger complemented Mr. Miller on the plans (as did Ms. Sepe) and posed questions about the tenant.

**Public Comment:** None

**Decision:** Mr. Rensberger made a motion to approve subject to the conditions and modifications as listed in the staff report. Carole Sepe, second.

<u>VOTE</u>	<u>5-0-0-1</u>
FOR:	5 - Tressler, Sowell, Sepe, Bowie, Rensberger,
AGAINST:	0
ABSTAIN:	0
ABSENT:	1 - Hicks

c) Royal Farms Store #357 - The Applicant is requesting a modification of a previously approved site plan and APFO Letter of Understanding to remove a requirement for an off-site sidewalk. 6730 English Muffin Way. Tax Map 86 Parcel 1; Zoned Mixed Use Development. Planning Region: Frederick SP265143, (A265147)  
*Jerry Muir, Principal Planner*

**Staff Presentation:**

Jerry Muir

**Applicant Presentation:**

Brian Morris, Matan Companies

Fran Zeller, Harris, Smariga & Associates

Ms. Sepe asked Mr. Mishler about sidewalk construction costs. There was also discussion as to whether contact had been made with the involved parties. Mr. Wilkins assured that proper contact had been made.

**Public Comment:** None

**Decision:** Mr. Bowie made a motion to approve as per the conditions and based on the staff recommendations as listed in the staff report. Ms. Sepe, second.

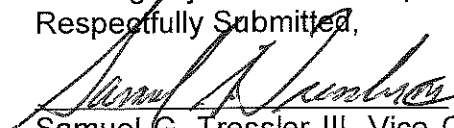
VOTE 5-0-0-1  
FOR: 5 - Tressler, Sowell, Sepe, Bowie, Rensberger,  
AGAINST: 0  
ABSTAIN: 0  
ABSENT: 1 - Hicks

Ms. Sepe brought up the topic of light modifications, which will be part of future discussions.

Motion to adjourn Mr. Rensberger. Ms. Sepe, second.

Meeting adjourned at 2:20 p.m.

Respectfully Submitted,

  
Samuel G. Tressler III, Vice Chair      10/13/21      Date